

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No: **10/822,639** Confirmation No. **1937**
Date Filed: April 12, 2004
Application Title: Mixtures Of Isobarically Labeled Analytes And
Fragments Ions Derived Therefrom
Applicants: Pappin et al.
Group Art Unit: 1654
Examiner: Marcela M. Cordero Garcia
Action Type: Examiner's Interview Summary
Action Date: August 10, 2007

**Certificate of Transmission Pursuant to:
37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the USPTO via EFS-web on this 28th day of August, 2007.


Patricia E. Tocci

Interview Summary under 37 C.F.R. § 1.133(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In accordance with 37 C.F.R. § 1.133(b), entry of the following summary of the discussion between Examiner Marcela M. Cordero Garcia and attorney Andrew T. Karnakis is hereby requested.

On July 31, 2007, Andrew T. Karnakis (attorney for applicants) and Examiner Marcela M. Cordero Garcia discussed the outstanding written description rejection under 35 U.S.C. 112, first paragraph, for the above patent application. While the Examiner mentioned that all of the analytes discussed in the examples in the specification were drawn to peptides, applicants' attorney emphasized that such examples should not be considered limiting and that it is not the nature of the analyte which bestows inventiveness to the claimed subject matter. Accordingly, applicants' attorney argued

that the rejection is improper and that applicants should not be precluded from generically claiming subject matter related to various types of analyte molecules of interest that are labeled with the unique labeling reagents developed by applicants. While the Examiner offered possible ways to overcome the rejection, no agreement was reached.

Respectfully submitted
on behalf of Applicants,

28 August 2007
Date

Andrew T. Karnakis
Andrew T. Karnakis, Reg. No. 27,909